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February 10, 2015

Via E-mail and ECF

Hon. Denise L. Cote,
United States District Judge,
Daniel Patrick Moynihan United States Courthouse,
500 Pearl Street, Room 1610,
New York, New York 10007-1312.

Re: *FHFA v. Nomura Holding America Inc., et al.*, No. 11-cv-6201

Dear Judge Cote:

We are only five weeks before commencement of trial. Defendants believe that plaintiff should now be required to set forth with specificity the statements in the Offering Documents that plaintiff contends are false or misleading. Although plaintiff initially proposed on January 22 to identify specifically the statements alleged to be false or misleading by Stipulation, plaintiff has more recently declined to do so.

Defendants respectfully request that the Court order plaintiff—prior to submission of the pre-trial briefs on February 20—to state with specificity the disclosures that it will contend at trial are false or misleading.

Respectfully submitted,

/s/ David B. Tulchin

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